

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

PETER J. MILLER, an individual,
CLIFFORD HOYT, an individual, and
CAMBRIDGE RESEARCH AND
INSTRUMENTATION, INC.,
a Delaware corporation,

Plaintiffs,

v.

PATRICK TREADO, an individual, and
CHEMIMAGE CORP., a Delaware
corporation,

Defendants.

Civil Action No. 05-10367-RWZ

**[ASSENTED-TO] COMBINED MOTION
AND MEMORANDUM IN SUPPORT THEREOF
TO IMPOUND PURSUANT TO LOCAL RULE 7.2
PLAINTIFFS' [PROPOSED] REPLY TO DEFENDANTS' OPPOSITION [D.E. 55]
TO PLAINTIFFS' MOTION [D.E. 40] TO FILE AN AMENDED COMPLAINT,
AND ONE EXHIBIT THERETO**

Plaintiffs Cambridge Research and Instrumentation, Inc. ("CRI"), Peter J. Miller, and Clifford Hoyt, by their attorneys COHEN, PONTANI, LIEBERMAN & PAVANE, hereby move the Court under LR 7.2 to impound the attached materials; namely, Plaintiffs' Reply to Defendants' Opposition [D.E. 55] to Plaintiffs' Motion [D.E. 40] for Leave to File an Amended Complaint, and Exhibit 2 thereto.

This motion includes the memorandum of reasons, including citation of supporting authorities, why this motion should be granted, pursuant to LR 7.1(b)(1).

[Assented-To] Motion/Memo to Impound under LR 7.2
Plaintiffs' [Proposed] Reply to Def.'s Opp. [D.E. 55]
to Plaintiff's Motion [D.E. 40] for Leave to File an Amd. Compl.,
and Exhibit 2 thereto

In support, plaintiffs state as follows:

1. Plaintiffs have filed via ECF [D.E. 61] a redacted version of their Reply to Defendants' Opposition [D.E. 55] to Plaintiffs' Motion [D.E. 40] for Leave to File an Amended Complaint, and a blank page in place of Exhibit 2 thereto.

2. The attached complete unredacted copies of Plaintiffs' Reply to Defendants' Opposition [D.E. 55] to Plaintiffs' Motion [D.E. 40] for Leave to File an Amended Complaint and Exhibit 2 thereto describe and/or characterize subject matter of which defendants had previously sought, and obtained from plaintiffs, a contractual stipulation to not be disclosed publicly. See, e.g., ¶2 on p. CRI004143, Ex. X to Amd. Compl., Ex. 1 to [D.E. 41].

4. Thus, plaintiffs request, with defendants' assent, that the Court order the impoundment of the attached documents pursuant to LR 7.2, which impoundment shall last until further order of the Court.

5. Pursuant to LR 7.1(a)(2), defendants have indicated their assent.

6. Pursuant to LR 7.2(a), plaintiffs suggest the attached documents be returned to plaintiffs' custody after the period of impoundment.

WHEREFORE, plaintiffs respectfully request, with defendants' assent, that the Court:

A. Issue an order impounding the attached documents, namely:

- Plaintiffs' [Proposed] Reply to Defendants' Opposition [D.E. 55] to Plaintiffs' Motion [D.E. 40] for Leave to File an Amended Complaint; and
- Exhibit 2 thereto.

B. Grant such further and other relief as this Court deems just, equitable and proper.

[Assented-To] Motion/Memo to Impound under LR 7.2
Plaintiffs' [Proposed] Reply to Def.'s Opp. [D.E. 55]
to Plaintiff's Motion [D.E. 40] for Leave to File an Amd. Complt.,
and Exhibit 2 thereto

Respectfully submitted,

**PETER J. MILLER, CLIFFORD HOYT,
and CAMBRIDGE RESEARCH AND
INSTRUMENTATION, INC.,**

By their attorneys:

Dated: July 6, 2006

/s/ Teodor Holmberg
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[Assented-To] Motion/Memo to Impound under LR 7.2
Plaintiffs' [Proposed] Reply to Def.'s Opp. [D.E. 55]
to Plaintiff's Motion [D.E. 40] for Leave to File an Amd. Compl.,
and Exhibit 2 thereto

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion to Impound Pursuant to LR 7.2 filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on July 6, 2006.

The Motion to Impound requests that the following documents be sealed:

- Plaintiffs' [Proposed] Reply to Defendants' Opposition [D.E. 55] to Plaintiffs' Motion [D.E. 40] for Leave to File an Amended Complaint; and
- Exhibit 2 thereto.

Redacted copies of the listed documents have been filed with the Court separately via ECF at [D.E. 61].

Unredacted copies of the documents listed above are being served, by hand, with a copy of this Motion, with the Court. In addition, unredacted copies are also being served by first class mail, postage prepaid, on July 6, 2006 on:

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/s/ Teodor Holmberg